

Kansas Water Pollution Control General Permit & Authorization to Discharge

Hydrostatic Test Water From New Pipelines And Storage Tanks, and/or Existing
Pipelines & Storage Tanks Exposed To Crude Oil and Refined Petroleum Products Or
Natural/Liquified Petroleum Gases

UNDER THE KANSAS WATER POLLUTION CONTROL PROGRAM AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §1251 et seq. (the "ACT"), the Kansas Water Pollution Control Statutes Annotated 65-164 and 65-165, and rules and regulations adopted thereunder,

Permittee's Name:

Permittee's Address:

Contact Person:

Telephone: ()

FAX: ()

Project/Facility Name:

Project/Facility Address:

Discharge Location:

Receiving Stream:

Basin:

is authorized to discharge to surface waters of the State described above in accordance with effluent limitations, monitoring requirements and other conditions set forth herein and shall comply with Kansas Surface Water Quality Standards (K.A.R. 28-16-28 et seq.).

This permit authorization supersedes all previous permits, agreements, decrees, or orders, in effect between the Kansas Department of Health and Environment (KDHE) and the permittee for hydrostatic test discharges from new pipelines and storage tanks never exposed to any product and/or existing pipelines and storage tanks exposed to crude oil and refined petroleum products or natural/liquified petroleum gases at the site described herein. The use of this permit for the project described herein is effective as of the date of issuance and shall expire on _____.

PROJECT /FACILITY DESCRIPTION:

(KDHE to Complete)

The Permittee shall notify the KDHE district office in _____, KS at telephone number () _____ at least 48 hours prior to the start of the expected discharge to allow the district an opportunity to observe/sample the discharge water.

Secretary - Kansas Department of Health and Environment

Date of Issuance

NOTICE OF TERMINATION (NOT)

Of Discharge of Hydrostatic Test Water From New Pipelines And Storage Tanks, and/or
Existing Pipelines & Storage Tanks Exposed To Crude Oil and Refined Petroleum Products Or
Natural/Liquified Petroleum Gases

Permittee's Name:

Permittee's Address:

Contact Person:

Telephone: ()

FAX: ()

Project/Facility Name:

Project/Facility Address:

Discharge Location:

Receiving Stream:

Basin:

To relinquish authorization to discharge under this permit, permittee must sign and submit the following certification.

I certify under penalty of law that all discharges authorized by the Kansas Water Pollution Control General Permit (Number G-HydrT-0202-1) and National Pollutant Discharge Elimination System associated with hydrostatic testing have been completed or terminated or I am no longer owner of the permitted facility. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge under this Kansas general NPDES permit at this site, and that discharging pollutants into waters of the State is unlawful under K.S.A. 65-164 and 65-165 and the Federal Water Pollution Control Act, as amended, 33 U.S.C. §1251 et seq., where the discharge is not authorized by a Kansas Water Pollution Control Permit. I also understand that submittal of this Notice of Termination does not release the undersigned from liability for any violations of this general NPDES permit, K.S.A. 65-164 and 65-165, Kansas Surface Water Quality Standards (K.A.R. 28-16-28 et seq.), or the Federal Water Pollution Control Act, as amended, 33 U.S.C. §1251 et seq. which occurred during the effective period of permit specified herein.

Print Name: _____

Date: _____

Title: _____

Phone Number _____

Signature: _____

This Notice of Termination is being submitted because:

G The project for which this permit was issued is completed.

G Ownership of the site has changed; the new owner is _____

RETURN NOTICE OF TERMINATION AND/OR MONITORING TEST RESULTS TO:

Kansas Department of Health and Environment
Bureau of Water - Technical Services Section
1000 SW Jackson St. - Suite 420
Topeka, KS 66612 - 1367

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the date of issuance of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the activities as specified in the Notice of Intent (NOI). The water quality criteria for waters of Kansas as detailed in K.A.R. 28-16-28e, shall apply to all discharges. Such discharge(s) shall be controlled, limited and monitored by the permittee as specified below. Monitoring reports shall be submitted within 30 days of the discharge. If there were no discharges during the year, the permittee shall submit a report by January 28 of the following year stating that no discharge took place during the report period.

Effective Date	EFFLUENT LIMITATIONS		MONITORING REQUIREMENTS	
	Upon Issuance			
Activity and Effluent Parameter(s)	Units	Daily Measurement Maximum	Sample Frequency	Type

I APPLICABLE TO ALL HYDROSTATIC TEST DISCHARGES

Flow	GPD	Monitor	Daily	Estimate
Oil and Grease	mg/l	10	(1)	Grab
Total Iron ⁽²⁾	mg/l	Monitor	(1)	Grab
Total Suspended Solids (TSS) ⁽³⁾	mg/l	100	(1)	Grab
Total Residual Chlorine (TRC)	See Supplemental Condition 1.d.			
pH	SU	Within the Range of 6.0 to 9.0	(1)	Grab

II ADDITIONAL MONITORING REQUIRED FOR HYDROSTATIC TEST DISCHARGES FROM EXISTING PIPELINES AND STORAGE TANKS EXPOSED TO CRUDE OIL AND REFINED PETROLEUM PRODUCTS ONLY

Parameters in I above plus:

Chemical Oxygen Demand	mg/l	150	(1)	Grab
Benzene	µg/l	40	(1)	Grab
Naphthalene	µg/l	620	(1)	Grab

III ADDITIONAL MONITORING REQUIRED FOR HYDROSTATIC TEST DISCHARGES FROM EXISTING PIPELINES AND STORAGE TANKS EXPOSED TO NATURAL AND/OR LIQUIFIED PETROLEUM GASES ONLY

Parameters in I above plus:

Chemical Oxygen Demand	mg/l	150	(1)	Grab
Benzene	µg/l	40	(1)	Grab

- (1) For new pipe or storage tanks, one representative sample of the hydrostatic test water shall be analyzed during the discharge. If the discharge exceeds 48 hours in duration, another sample shall be collected and analyzed.

For used pipe or storage tanks exposed to crude oil, natural gas, LPG or refined products, at least two representative samples of the hydrostatic test water shall be analyzed. A representative sample of the hydrostatic test water shall be collected and analyzed prior to the discharge and another during the discharge. The analytical results of the sample taken of the water in the pipeline or tank shall be submitted to the KDHE for review and approval prior to discharge only if the analytical report indicates noncompliance with the permit limits. If the discharge exceeds one day (24 hours in duration), another sample each day shall be collected during the discharge and analyzed.

- (2) See Supplemental Condition No. 1.c.

- (3) The permittee may use the Net TSS limits if the water source is river water and the discharge is to the same river.

B. SUPPLEMENTAL CONDITIONS

1. The following requirements are applicable to the discharge of hydrostatic test water from all activities:
 - a. This permit does not cover the pipe or tank cleaning process or disposal of wastes from the cleaning process.
 - b. The source water used for the hydrostatic test shall be of the same or better quality than the receiving stream to which it is to be discharged.
 - c. The permittee shall take measures to reduce the iron content of the discharge so no discoloration and/or iron deposition occurs on adjacent landowners' property and/or within the receiving stream.
 - d. If chlorinated water (e.g. potable tap water) is used for the hydrostatic test, the test water shall not be discharged with Total Residual Chloride (TRC) in toxic concentrations to any receiving stream.
 - e. All discharges shall be conducted in a manner to prevent erosion of soil or other materials into surface waters.
 - f. All discharges shall be filtered or otherwise treated to remove suspended solids, turbidity and color to a level consistent with the receiving waters.
 - g. The discharge shall have no visible oil sheen, floating solids or visible foam in other than trace amounts.
2. General Permit G-HydrT-0202-1 is available for use until October 31, 2007.
3. Changes in Discharges of Toxic Substances: The permittee shall notify the Director as soon as it knows or has reason to believe that any activity has occurred or will occur which result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit if that discharge will exceed the highest of these notification levels: (1) Five hundred micrograms per liter (500 µg/l) or (2) One milligram per liter (1 mg/l) for antimony.
4. In the event the Environmental Protection Agency amends or promulgates the BPT, BAT, and/or BCT effluent guideline limitations for a specific Point Source Category or any of the subcategories covering your industry or the permitted activities, this permit will be revoked and reissued to incorporate the new limitation(s).
5. There shall be no discharge of Polychlorinated Biphenyls (PCBs).
6. Issuance of this permit does not relieve the permittee of satisfying any requirements the Kansas Department of Agriculture - Division of Water Resources, Kansas Department of Wildlife and Parks, Kansas Historical Society, Kansas Department of Transportation or any local, city, county, state or federal government agency may have regarding the proposed project.
7. This permit can be maintained only by timely payment of the annual permit renewal fee as provided in the permit fee schedules in K.A.R. 28-16-56.

C. STANDARD CONDITIONS**1. Representative Sampling:**

- a. Samples and measurements taken as required herein shall be representative of the nature and volume of the monitored discharge. All samples shall be taken at the location designated in this permit, and unless specified, before the discharge joins or is diluted by any other water or substance.
- b. Monitoring results shall be recorded and reported on forms acceptable to the Division and postmarked no later than 30 days after the discharge occurs. The permittee shall submit the laboratory test reports along with a signed cover page indicating if the discharge was in compliance with the permit conditions, an explanation if permit limits were exceeded, and the signed Notice of Termination, if appropriate, to:

Kansas Department of Health & Environment
Bureau of Water-Technical Services Section
1000 SW Jackson Street, Suite 420
Topeka, KS 66612-1367

2. Definitions:

- A. The "daily maximum" discharge means the total discharge by weight or average concentration during a 24 hour period.
 - B. A "grab sample" is an individual sample collected in less than 15 minutes.
 - C. The "act" means the Clean Water Act, 30 USC Section 1251 et seq.
 - D. The terms "Director", "Division", and "Department" refer to the Director, Division of Environment, Kansas Department of Health and Environment, respectively.
3. **Test Procedures:** All analysis required by this permit shall conform to the requirements of 33 USC Section 1314(h), and shall be conducted in a laboratory certified by this Department. For each measurement or sample, the permittee shall record the exact place, date, and time of sampling; the date of the analyses, the analytical techniques or methods used, and the individual(s) who performed the sampling and analysis and, the results. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved procedures, the results shall be included in the Discharge Monitoring Report form required in 1.B. above. Such increased frequencies shall also be indicated.
4. **Records Retention:** All records and information resulting from the monitoring activities required by this permit, including all records of analyses and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation, shall be retained for a minimum of 3 years, or longer if requested by the Division.
5. **Change in Discharge:** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant not authorized by this permit or of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of this permit.
6. **Minimization of Impact:** The permittee shall take all necessary steps to minimize or prevent any adverse impact to waters of the State resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. When necessary to maintain compliance with the permit conditions, the permittee shall halt or reduce those activities under its control.
7. **Immediate Reporting Required:** The permittee shall immediately notify the Division by telephone [(785) 296-5517 or the appropriate KDHE District Office] of each spill and shall confirm the telephone notification with a letter explaining what caused the spill and what actions have been taken to prevent recurrence. Written notification shall be provided to the Director within five days of the permittee becoming aware of the spill.

C. STANDARD CONDITIONS (Continued)

8. **Removed Substances:** Solid wastes, sludges, or other pollutants removed in the course of activities conducted under this permit shall be disposed of in a manner acceptable to the Division.
9. **Right of Entry:** The permittee shall allow authorized representatives of the Division of Environment or the Environmental Protection Agency upon the presentation of credentials, to enter upon the project location where a discharge source is located, or in which are located any records required by this permit, and at reasonable times, to have access to and copy any records required by this permit, to inspect any monitoring equipment or monitoring method required in this permit, and to sample any influents to, discharges from or materials in association with the permitted activity.
10. **Transfer of Ownership:** The permittee shall notify the succeeding owner or controlling person of the existence of this permit by certified letter, a copy of which shall be forwarded to the Division. The succeeding owner shall secure a new permit. The permit is not transferable to any person except after notice and approval by the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.
11. **Availability of Records:** Except for data determined to be confidential under 33 USC Section 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement on any such report or tampering with equipment to falsify data may result in the imposition of criminal penalties as provided for in 33 USC Section 1319 and KSA 65-170c.
12. **Permit Modifications and Terminations:** As provided by KAR 28-16-62, after notice and opportunity for a hearing, this permit may be modified, suspended or revoked or terminated in whole or in part during its term for cause as provided, but not limited to those set forth in KAR 28-16-62 and KAR 28-16-28b through f. The permittee shall furnish to the Director, within a reasonable amount of time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request, copies of all records required to be kept by this permit.
13. **Toxic Pollutants:** Notwithstanding paragraph 13 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified at such effluent standards) is established under 33 USC Section 1317(a) for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition. Nothing in this permit relieves the permittee from complying with federal toxic effluent standards as promulgated pursuant to 33 USC Section 1317.
14. **Civil and Criminal Liability:** Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance as provided for in KSA 65-164 et seq., KSA 65-170d, KSA 65-167, and 33 USC Section 1319 and 33 USC Section 1321.
15. **Property Rights:** The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights nor any infringements of or violation of federal, state or local laws or regulations.
16. **Severability:** The provisions of this permit are severable. If any provision of this permit or any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected thereby.
17. **Duty to Reapply:** A permit holder wishing to continue any activity regulated by this permit after the expiration date, must apply for a new permit at least 180 days prior to expiration of the permit.